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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES ALVA,

Defendant.

2:14-cr-00023-GMN-NJK

**STIPULATION TO CONTINUE
THE CONTINUATION OF THE
EVIDENTIARY HEARING ON
DEFENDANT'S MOTION TO
SUPPRESS**

IT IS HEREBY STIPULATED AND AGREED by and between, Daniel G. Bogden, United States Attorney, District of Nevada, and Cristina D. Silva, Assistant United States Attorneys, representing the United States of America, and Robert Draskovich, Esq., representing defendant JAMES ALVA, that the continuation of the evidentiary hearing on defendant's motion to suppress, which is currently scheduled for July 7, 2015, be continued and reset to a date and time convenient to this court, but in any event no earlier than two weeks, for the following reasons:

1. New counsel for the Government was reassigned on July 2, 2015 and, exercising due diligence, needs additional time to prepare for the evidentiary hearing.
2. Mr. Draskovich will out of the District from July 22, 2015 through August 5, 2015.
3. Neither party objects to the continuance.

5. This continuance is not sought for purposes of delay, but to allow for counsel for the

6. Denial of this request could result in a miscarriage of justice.

DATED this 6th day of July, 2015.

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES ALVA,

Defendant.

2:14-cr-00023-GMN-NJK

ORDER

Based on the pending Stipulation between the defense and the Government, and good cause appearing therefore, the Court hereby finds that:

1. New counsel for the Government was reassigned on July 2, 2015, and, exercising due diligence, needs additional time to prepare for the evidentiary hearing.
2. Mr. Draskovich will out of the District from July 22, 2015 through August 5, 2015.
3. Neither party objects to the continuance.
4. The defendant is not incarcerated and does not object to the continuance.
5. This continuance is not sought for purposes of delay, but to allow for counsel for the Government to be prepared for the evidentiary hearing.
6. Denial of this request could result in a miscarriage of justice.
7. This is the second request to continue the evidentiary hearing on the motion to suppress.

THEREFORE, IT IS HEREBY ORDERED that the continuation of the evidentiary hearing in the above-captioned matter currently scheduled for July 7, 2015, at the hour of 10:00 a.m., be vacated and continued to a date and time convenient to this court, however in any event no earlier than two

1 weeks, that is July 21, 2015, at the hour of 10:00 a.m.
2 in Courtroom 3C.

3 DATED this 6th day of July, 2015.

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6 HONORABLE NANCY J. KOPPE
7 United States Magistrate Judge
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